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#### IN THE DRAWINGS

Please replace existing Figure 1 with the new Figure 1, attached herewith. The submitted Figure 1 replaces the original sheet containing Figure 1. A rotation axis Z is added to Figure 1.

Please add the new Figure 11.

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## REMARKS

### Summary of the Office Action

#### In the Specification:

1. Claims 12, 15, 19-22, and 24-28 are allowed.
2. The Drawings are objected to for failing to show various limitations.
3. The Specification is objected to for lack of antecedent basis for various features.
4. Claims 41-48 stand rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.
5. Claims 35-39 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent Application Pub. No US20030117380A1 to Kanzaki.
6. Claims 41-48 stand rejected under 35 USC 103(a) as being unpatentable over Narayanaswami (U.S. Patent No. 6,655,622) in view of Sonehara (U.S. Patent Application 20030115384).

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### **Detailed Remarks**

Applicant requests consideration of the following remarks.

#### **A. Objections to the Specification and Drawings**

**For claim 12:** the Drawings are objected for not showing "a rotation axis". FIG. 1 now shows the rotation axis Z.

**For claims 28 and 35:** The term reference point has been replaced by pointed, which is shown by numeral 112 of FIG. 1.

**For Claim 41:** the Office Action makes statements presented below regarding the feature of "the bezel feature is formed by a contact-sensitive material that provides a surface on which a pointer may be dragged to indicate an input."

First, the Office Action states that this feature is not shown by the Drawings. While Applicant respectfully disagrees that this is a requirement, Applicant is providing new Figure 11 with this response. It is understood that Applicant is allowed to submit a new drawing to overcome an informality rejection (as present in the last Office Action) if any newly presented drawing is not being used to (i) overcome any insufficiency of the specification due to lack of an enabling disclosure or otherwise inadequate disclosure therein, or (ii) to supplement the original disclosure thereof for the purpose of interpretation of the scope of any claim (MPEP 608.02). New Figure 11 is a strict rendition of the paragraph beginning with "In an embodiment..." on page 14 of the Specification. As such, Applicant believes the new figure is not objectionable.

Second, the Office Action states the feature recited requires antecedent basis in the specification. Applicant notes the claim has been amended, and now the claim recites: "the bezel feature ... is formed by a contact-sensitive material that provides a surface capable of receiving contact by a pointer at one or more positions..." Applicant submits antecedent basis for this limitation exists in the application. One location for the antecedent basis of this limitation is Page 14, with the paragraph beginning on line 10, which describes a digitizer on which the bezel feature is provided. The digitizer is clear support for use of "contact sensitive material", and the "bezel feature" is clearly recited to

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be provided thereon. Furthermore, the digitizer "detects contact at a particular position on its surface. The contact is detected as an analog value..." Applicant notes that the MPEP, section 608.01(o) provides the following guidance regarding specification, support and claim limitations: "While an applicant is not limited to the nomenclature used in the application as filed, he or she should make appropriate amendment of the specification whenever this nomenclature is departed from by amendment of the claims *so as to have clear support* or antecedent basis in the specification for the new terms appearing in the claims." Applicant submits the term "digitizer" is *clear support* for "contact-sensitive material", particularly in lieu of the sentence from the same paragraph on page 14: "The digitizer is touch-sensitive, and detects contact at a particular position on its surface."

Applicant further notes that the MPEP 608.01(o) actually states that "The *meaning* of every term used in any of the claims should be *apparent* from the descriptive portion of the specification with *clear disclosure* as to its import..." Applicant does not believe the *meaning* of the terms used in the claims are at issue with this rejection. Thus, the limited amendment to the specification should comply with the requirements of the regulations.

With the amendment, the use of "track" is provided in connection with the language discussed above. Applicant directs the Examiner to, for example, page 10 of the Specification.

**B. Rejection Under 35 USC Section 112**

Claims 41-48 stand rejected as being indefinite in failing to point out distinctly what is the invention. The basis of the rejection is for use of the words "on which a pointer may be dragged to indicate..." With the amendment to Claim 41, Applicant does not believe this rejection to be an issue, and thus is moot.

**C. Obviousness Rejection to Claims 35-39**

Claims 35-39 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent Application Pub. No US20030117380A1 to Kanzaki.

As amended, independent claims 35 recites a track that is displayed and which enables a pointer to be moved from a starting point on the track to a finishing point on the track. While Applicant concedes Kanzaki teaches a rotating graphic feature, Applicant

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notes that Kanzacki is a dial, oriented inward so that only a portion is visible. Applicant directs the Examiner to paragraph 25 of Kanzacki, for example, which states: "Thus, the turning direction of the rotary dial can be determined from the position touched, the start position of the touch and the end position of the touch." The user's interaction only determines the direction and perhaps the speed of the dial turning. In this regard, Kanzacki is more akin to a "jog dial" as described by the Background of Applicant's application.

As amended, independent claim 35 now recites: "detect a continuous contact with the display assembly resulting in a pointer of the bezel feature being moved from a starting point on the track to a finishing point on the track..." As described in the preceding paragraph, Kanzacki does not teach a track, let alone moving a pointer of the bezel feature from a starting point to a finishing point on the track.

Claims 36-29 depend from Claim 35. As such, Applicant respectfully submits these claims are allowable for all of the reasons presented above.

**D. Obviousness Rejection to Claims 41-48**

Applicant requests reconsideration, in lieu of the amendment and the following remarks. In Claim 41, the bezel feature is contact-sensitive and can be contacted by a user to enter input. In Sonehara, the reference being used to teach "contact-sensitive" bezel feature, the dial is not contact-sensitive because it can be contacted and not operated. What is contact-sensitive in Sonehara is the internal interface to the device.

Additionally, Applicant is providing that the bezel feature includes a track that is "provided on the front panel". The cited references do not teach the feature of a track.

**Conclusion**

For all of the reasons stated above, Applicant believes the application is in condition for allowance. A Notice of Allowance is respectfully requested.

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### CONCLUSION

A Notice of Allowance is respectfully requested. If there are any questions or comments that the Examiner wishes to direct to Applicant's attorney, the Examiner is invited to call Applicant's attorney at (408) 551-6632. The Patent Office is authorized to charge all unpaid fees to the deposit account 50-1914.

Submitted by,



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### Certificate of Mailing

The undersigned hereby certifies that this paper is being submitted with the U.S. Postal service with sufficient postage as first class mail, addressed to "Mail Stop After Final, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450" on November 28, 2005

Signature: 

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